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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/769,935	01/25/2001	Jeremiah G. Reyes	381-23-005	5491

7590 10/23/2002
KOPPEL & JACOBS
SUITE 107
555 ST. CHARLES DRIVE
THOUSAND OAKS, CA 91360

EXAMINER

DINH, TUAN T

ART UNIT	PAPER NUMBER
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2827

DATE MAILED: 10/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/769,935

Applicant(s)

REYES ET AL.

Examiner

Tuan T Dinh

Art Unit

2827

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 July 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-52 is/are pending in the application.
- 4a) Of the above claim(s) 1-31 and 52 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 32 and 36-51 is/are rejected.
- 7) ☒ Claim(s) 33-35 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- ☐ Interview Summary (PTO-413) Paper No(s). _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Claims 1-31 and 52 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a non-elected species, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in Paper No. 12.

Applicant's election with traverse of the restriction in Paper No. 11 is acknowledged. Applicant did not argue the validity of the restriction requirement.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 40-44 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 40, line 5, it is unclear. What does applicant meant of "a like plurality of apertures in said housing?"

Regarding claim 41, lines 4, 7, it is unclear. What does applicant meant of "a like plurality of designation pins and a like plurality of apertures in said panel?"

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claim 51 is rejected under 35 U.S.C. 102(b) as being anticipated by Hyams et al. (U. S. Patent 4,128,024).

Hyams et al. discloses a terminal base (10) having a plurality of terminals (figure 1) mounted thereon having a removable terminal cover (24) and a keyhole slots (13, 14, figure 3) for receiving the cover (figure 1).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Girke et al. (U. S. Patent 6,396, 380) in view of J.P.Foley (U. S. Patent 3,518,783) and Evans (U. S. Patent 4,284,296).

Regarding claim 32, Girke et al. disclose a fuse box having a plurality of slots (figure 2) for holding a plurality of electric fuses within the fuse box.

Girke et al. disclose the instant claimed invention except for a fuse rating designation card partially inserted within a slot in the fuse box and designation card being flame resistant.

Foley discloses an electrical device (10) having a housing (14) and a designation card (28) mounted within a slot (figures 1 and 4) of the housing.

It would have been obvious to a person having ordinary skill in the art at the time invention was made to include a designation card with the fuse box of Girke et al., as suggested by Foley, for the purpose of providing indication of the fuse type.

Girke et al., as modified, disclose the instant claimed invention except for the designation card being flame resistant.

Evans discloses an identification card (8) being flame resistant.

It would have been obvious to a person having ordinary skill in the art at the time invention was made to have the designation card of Girke et al., as modified, be flame resistant for the purpose of protecting the card from the hot fuse box environment.

8. Claims 36-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Girke et al., as modified, as applied to claim 32 above, and further in view of Flores (U. S. Patent 5,214,565).

Regarding claims 36-38, Girke et al., as modified, disclose the instant claimed invention except for a heat sink being used in conjunction with the fuse holders.

Flores discloses a heat sink member (28) being mounted in a ladder like configuration interdigitated and mutually spaced about a plurality of fuse holders (figures 4a-5).

It would have been obvious to a person having ordinary skill in the art at the time invention was made to include the heat sink member design of Flores in Girke et al., as modified, for the purpose dissipating unwanted heat.

9. Claims 39, and 45-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Girke et al., as modified, as applied to claim 32 above, and further in view of Knapp, Jr. (U. S. Patent 3,824,520).

Girke et al., as modified, disclose the instant claimed invention except for the fuse having a spring biased fuse condition flagging device.

Knapp, Jr. discloses an electric fuse (figure 5) having a spring biased fuse condition flagging device (figures 1-3).

It would have been obvious to a person having ordinary skill in the art at the time invention was made to use the flagging device of Knapp, Jr. in Girke et al., as modified, for the purpose allowing a user to easily ascertain the condition of the fuse.

10. Claims 40-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Girke et al., as modified, as applied to claim 32 above, and further in view of Panaro [US 4,661,807].

Regarding claims 40-41, Girke et al., as modified, disclose the instant claimed invention except for the fuse holders having designation pins.

Panaro discloses a fuse holder (10) having color coded indication means (column 7, 20-46) provided therewith.

It would have been obvious to a person having ordinary skill in the art at the time invention was made to use color coding with the fuse holders of Girke et al., as modified, as suggested by Panaro for the purpose of providing indication of the necessary fuse type.

11. Claims 42-43 and 48-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Girke et al., as modified, as applied to claim 36-38 above, and further in view of Panaro (U. S. Patent 4,661,807).

Regarding claims 42-43 and 48-50, Girke et al., as modified, disclose the instant claimed invention except for the fuse holders having designation pins.

Panaro discloses a fuse holder (10) having color coded indication means (column 7, 20-46) provided therewith.

It would have been obvious to a person having ordinary skill in the art at the time invention was made to use color coding with the fuse holders of Girke et al., as modified, as suggested by Panaro for the purpose of providing indication of the necessary fuse type.

Allowable Subject Matter

12. Claims 33-35 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan T Dinh whose telephone number is 703-306-5856. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Talbott can be reached on 703-305-9883. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-1341 for regular communications and 703-305-1341 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

TD

October 21, 2002.

Albert W. Paladini 10-21-02

**ALBERT W. PALADINI
PRIMARY EXAMINER**